

***Town Board Minutes***

March 20, 2006

Meeting No. 9

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 20<sup>th</sup> day of March 2006 at 8:00 P.M. and there were

**PRESENT:** DANIEL AMATURA, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
GARY STOLDT, CHIEF OF POLICE  
TERRENCE McCracken, GENERAL CREW CHIEF

**EXECUTIVE SESSION:**

UPON MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AMATURA, to deliberate in Executive Session for the announced purpose of discussing a contractual matter, namely an engineering firm proposal, which resulted as follows:

|                         |           |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA  | VOTED YES |
| COUNCIL MEMBER MONTOUR  | VOTED YES |
| COUNCIL MEMBER RUFFINO  | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA         | VOTED YES |

At 9:44 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

**PERSONS ADDRESSING TOWN BOARD:**

**Sal Carmina**, a teacher at Depew Middle School, introduced Jennifer Karnyski, a student at Depew Middle School, who read her award winning Sertoma Freedom Contest essay.

**Beutler, Daniel**, 26 Tyler Street, spoke to the Town Board on the following matter:

- appraisal of Depew Library building

**Fronczak, Mike**, 3 Woodstream, spoke to the Town Board on the following matter:

- stub street in Nicholas Heights Subdivision

**Hilsczmyer, Mike**, Central Avenue, spoke to the Town Board on the following matter:

- parking on Central Avenue

**Schneeggenburger**, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Erie County Sewer District #4
- bid for Police vehicles
- Freedom

**Symer, Donald**, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- appraisal of Depew Library Building
- possible transfer of Town Sanitary Sewer #1 & #2 system to Erie County Sewer District #4

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED,** that the minutes of the Joint Meeting of the Town Board and the Planning Board held March 13, 2006 and the Regular Meeting of the Town Board held March 13, 2006 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

|                         |           |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA  | VOTED YES |
| COUNCIL MEMBER MONTOUR  | VOTED YES |
| COUNCIL MEMBER RUFFINO  | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA         | VOTED YES |

March 20, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town of Lancaster has received a proposal from Emminger, Hyatt, Newton & Pigeon, Inc., 1026 Union Road, Suite 5, Buffalo, New York 14224 to appraise Town owned property being the former Depew Library at 321 Columbia Avenue, Depew, New York, and

**WHEREAS**, the Town Board has reviewed the proposal from Emminger, Hyatt, Newton & Pigeon, Inc., and deems it in the public interest to engage the appraisal services as proposed;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to contract with Emminger, Hyatt, Newton & Pigeon, Inc. to appraise the Town owned property being the former Depew Library at 321 Columbia Avenue, Depew, New York with a cost of the appraisal not to exceed \$1,500.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

|                         |           |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA  | VOTED YES |
| COUNCIL MEMBER MONTOUR  | VOTED YES |
| COUNCIL MEMBER RUFFINO  | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA         | VOTED YES |

March 20, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS, GREENFIELD MANOR**, 5953 Broadway, Lancaster, New York has submitted a Site Plan prepared by Gordon W. Jones Associates Architects, dated March 1, 2006 and received March 2, 2006 for the proposed construction of a 6,000 square foot multi-purpose addition to the existing Greenfield Manor located at 5953 Broadway in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan and at its meeting March 15, 2006 has recommended approval of this project, and

**WHEREAS**, a SEQR Review of this project was held March 20, 2006 and a negative declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Greenfield Manor and prepared by Gordon W. Jones Associates Architects, dated March 1, 2006 and received March 2, 2006 for the proposed construction of a 6,000 square foot multi-purpose addition to the existing Greenfield Manor located at 5953 Broadway in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                          |           |
|--------------------------|-----------|
| COUNCIL MEMBER AMATURA   | VOTED YES |
| COUNCIL MEMBER MONTOUR   | VOTED YES |
| COUNCIL MEMBER RUFFINO   | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA          | VOTED YES |

March 20, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the County of Erie Sewer District Commissioner, Department of Environment and Planning, has proposed to the Town that County Sewer District No. 4 take over ownership and operation of Town Sewer Districts within the Town of Lancaster, and

**WHEREAS**, in order to complete the merger of the Town Sewer Districts into Erie County Sewer District No. 4 it is necessary to gain the approval of the Board of Managers of the County Sewer District as well as the approval of the Erie County Legislature, and

**WHEREAS**, the Town Board deems it in the interest of the residents of the Town of Lancaster to transfer ownership of the Town’s sanitary sewer assets to Erie County and the Erie County Sewer District No. 4;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to petition the County of Erie, the Erie County Legislature and the Board of Managers of Erie County Sewer District No. 4 to extend Erie County Sewer District No. 4 for the provision of sanitary sewer services to the Town;

**AND BE IT FURTHER**

**RESOLVED**, that the Supervisor be authorized and directed to immediately enter into negotiations with the County for an intermunicipal agreement to provide for interim operation and maintenance of the Town’s sanitary sewer system for the eventual transfer of said sewerage assets and the formation of an extension of Erie County/Erie County Sewer District No. 4 to include the Town Sewer Districts;

**AND BE IT FURTHER**

**RESOLVED**, that the Supervisor be authorized to execute an intermunicipal agreement to transfer the Town’s sanitary sewer assets to Erie County/Erie County Sewer District No. 4 subject to approval as to form by the Town Attorney; and

**AND BE IT FURTHER**

**RESOLVED**, that the Town Clerk be directed to send certified copies of this resolution to the Erie County Executive, Joel A. Giambra, the Erie County Legislature; Andrew M. Eszak, Commissioner, Department of Environment & Planning; and the Erie County Sewer District No. 4, Board of Managers.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                          |           |
|--------------------------|-----------|
| COUNCIL MEMBER AMATURA   | VOTED YES |
| COUNCIL MEMBER MONTOUR   | VOTED YES |
| COUNCIL MEMBER RUFFINO   | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA          | VOTED YES |

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, in Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity, and

**WHEREAS**, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS, and

**WHEREAS**, it is necessary that all federal, state, local and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management, and

**WHEREAS**, to facilitate the most efficient and effective incident management it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualifications standards, uniform standards for planning, training and exercising, comprehensive resource management and designated incident facilities during emergencies or disasters, and

**WHEREAS**, the NIMS standardize procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety and streamline incident management processes, and

**WHEREAS**, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs, and

**WHEREAS**, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System, and

**WHEREAS**, the Town Board of the Town of Lancaster has given due consideration to the need to comply with the federal mandate which is in the interests of the residents of the Town of provide for the appropriate emergency response and incident management;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster does hereby mandate the National Incident Management System be utilized for all incident management in the Town of Lancaster effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

|                          |           |
|--------------------------|-----------|
| COUNCIL MEMBER AMATURA   | VOTED YES |
| COUNCIL MEMBER MONTOUR   | VOTED YES |
| COUNCIL MEMBER RUFFINO   | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA          | VOTED YES |

March 20, 2006





THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of Local Laws, and

**WHEREAS**, the Town of Lancaster has previously adopted a residency policy for Town employees which requires all employees to reside within the Town at the time of hire or to move into the Town within six (6) months of commencing employment, and

**WHEREAS**, the County of Erie, Department of Personnel administers the NYS Civil Service Law in Erie County and has advised the Town that in order for the County Personnel Department to provide a Residency Preference List for civil service positions the Town must adopt a Local Law requiring that Town employees must be residents of the Town at the time of hire or must move into the Town within six (6) months of the date of commencement of employment, and

**WHEREAS**, the Town Board desires to continue its current residency policy for employees of the Town and deems such a policy to be in the interest of the residents and taxpayers of the Town of Lancaster, and

**WHEREAS**, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to enact a Local Law of the Year 2006, entitled “RESIDENCY POLICY FOR EMPLOYEES”, and further designated as Chapter 41, of the Code of the Town of Lancaster, which reads as follows:

**Chapter 41**

**RESIDENCY POLICY FOR EMPLOYEES**

**Proposed  
Local Law  
Of the Year 2006**

**A LOCAL LAW DECLARING THAT TOWN EMPLOYEES MUST BE RESIDENTS  
OF THE TOWN AT THE TIME OF HIRE OR MUST MOVE INTO THE TOWN  
WITHIN SIX MONTHS OF COMMENCING EMPLOYMENT.**

**RESIDENCY POLICY FOR EMPLOYEES**

- §41 - 1. Purpose of the Law.**
- §41 - 2. Hiring of Employees.**
- §41 - 3. When effective.**

**BE IT ENACTED**, by the Town Board of the Town of Lancaster, New York as follows:

**§41 - 1. Purpose of the Law.**

The purpose of this Local Law is to require that employees of the Town of Lancaster reside within the boundaries of the Town as a matter of public policy. Pursuant to such Local Law the Town will be permitted to request a Resident Preference List pursuant to NYS Civil Service Law in the issuance of Certification of Candidates from an Open Competitive eligible list. This Local Law also provides that in the event that a Resident Preference List does not exist that the Town may inform certified candidates from a non-resident list that they must relocate to the Town as a condition employment. The Local Law further provides that all other employees of the Town whether non-competitive civil service, exempt, part-time or seasonal must be residents of the Town unless otherwise exempt by this Local Law or other law which shall provide for such exemption.

**§41 - 2. Hiring of Employees.**

**A. Civil Service Competitive Classifications.**

The Town shall hire only persons who appear on a Resident Preference List issued for open competitive positions generated by the County of Erie, Department of Personnel where such a list exists. In the event that such a Resident Preference List does not exist and a non-resident list is provided by the County of Erie, Department of Personnel then the Town shall advise any non-residents that appear on the list that they will only be considered for employment with the Town if they commit to relocating their residence into the Town of Lancaster within six months of the date of commencing employment. In the event the employee does not relocate his residence to within the boundaries of Town of Lancaster within said six month period he shall be terminated for failing to meet this condition of employment.

**B. Non-Competitive Civil Service Positions.**

The Town of Lancaster shall hire only those persons who reside within the Town of Lancaster on the date of hire.

**C. Non-Civil Service Positions - Full-time.**

The Town of Lancaster shall hire for full-time non-civil service positions only those persons who reside within the Town of Lancaster on the date of hire.

**D. Non-Civil Service Positions - Part-Time and Seasonal.**

**(1) Required Town Residence.**

The Town of Lancaster shall hire for part-time and seasonal non-civil service positions only those persons who reside within the boundaries of the Town of Lancaster unless Section E herein applies.

**(2) Exemption for Part-time and Seasonal Employees.**

A person who resides outside the Town of Lancaster may be hired where the position requires a skill, expertise or degree of experience which cannot be satisfied by an applicant who resides within the Town, but only after the Town has exercised diligent efforts to find a Town resident with the skill, expertise or experience to fill the position. Given that the position is part-time or seasonal in nature such an employee will not be required to relocate his residence to the Town. In the event, however, that a Town resident who has the required specialized qualifications becomes available to fill the position then the non-resident employee shall be terminated and replaced by a Town resident.

**§41 - 3. When effective.**

This chapter shall become effective upon filing with the Secretary of State.

**NOW, THEREFORE, BE IT RESOLVED,** as follows:

1. That pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law of the Year 2006, entitled “Residency Policy for Employees ” and further designated as Chapter 41 of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:40 o’clock P.M., Local Time, on the 3rd day of April, 2006, and that Notice of the Time and Place of such Hearing shall be published on March 23, 2006, in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of this proposed Local Law for the Year 2006, entitled “Residency Policy for Employees” available for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                         |           |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA  | VOTED YES |
| COUNCIL MEMBER MONTOUR  | VOTED YES |
| COUNCIL MEMBER RUFFINO  | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA         | VOTED YES |

March 20, 2006

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted March 20, 2006, the said Town Board will hold a Public Hearing on the 3rd day of April, 2006 at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon a proposed Local Law of the Year 2006, entitled "Residency Policy for Employees ", and further designated as Chapter 41 of the Code of the said Town, briefly described as follows:

**"A LOCAL LAW DECLARING THAT TOWN EMPLOYEES MUST BE  
RESIDENTS OF THE TOWN AT THE TIME OF HIRE OR MUST MOVE INTO  
THE TOWN WITHIN SIX MONTHS OF COMMENCING EMPLOYMENT."**

A complete copy of this proposed Local Law of the Year 2006, entitled "Residency Policy for Employees ", and designated as Chapter 41 of the Code of the Town of Lancaster, is available at the office of the Town Clerk for inspection and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN  
Town Clerk**

March 20, 2006

File: rlocallawresidencypolicyforemployees306

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing six (6) new 2006 Police Vehicles to the Police Department of the Town of Lancaster in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

**WHEREAS**, said bids were opened on March 15, 2006, and

**WHEREAS**, the Chief of Police of the Town of Lancaster has recommended the purchase of the beforementioned vehicles in accordance with said specifications from the low bidder thereon, DeLacy Ford, Inc., 3061 Transit Road, Elma, New York 14059;

**NOW, THEREFORE, BE IT**

**RESOLVED, as follows:**

1. That the bid of DeLacy Ford, Inc. is accepted and that an order for these vehicles is hereby authorized to be placed by the Chief of Police as follows:

1. The purchase of six (6) 2006 Police Vehicles at a unit price of \$22,626 per vehicle for a total expenditure of \$135,756 minus the trade-in allowance for each vehicle as set out in the bid.

2. That the following vehicles be traded to DeLacy Ford, Inc., as per the trade-in allowances listed on the Bid Form:

|   |            |
|---|------------|
| A. One (1) 2005 Ford Crown Victoria<br>Vin #2FAHP71W85X108973 | \$6,250.00 |
| B. One (1) 2005 Ford Crown Victoria<br>Vin #2FAHP71WX5X108974 | \$6,000.00 |
| C. One (1) 2005 Ford Crown Victoria<br>Vin #2FAHP71W85X103661 | \$6,000.00 |
| D. One (1) 2005 Ford Crown Victoria<br>Vin #2FAHP71W55X103665 | \$6,500.00 |
| E. One (1) 2005 Ford Crown Victoria<br>Vin #2FAHP71W35X103664 | \$6,000.00 |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                        |           |
|------------------------|-----------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |

|                          |           |
|--------------------------|-----------|
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA          | VOTED YES |

March 20, 2006



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER AMATURA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, by correspondence dated January 19, 2006, Lancaster Central School District has advised the Town Board that they are at the stage of requesting bids for the purchase and installation of security cameras for certain locations in the Lancaster Central High School, and

**WHEREAS**, the School Board has provided specifications for the video security camera system which will be purchased by the Town through the public bid process to be paid for by a grant from the U.S. Department of Justice, Office of Justice Programs with a matching sum to be paid by the Lancaster Central School District pursuant to the agreement between the Town of Lancaster and the Lancaster Central School District, and

**WHEREAS**, the Town Board now desires to cause the public bid of the beforementioned video security camera system for placement in the Lancaster Central High School;

**NOW THEREFORE, BE IT  
RESOLVED**, as follows:

1. That bids will be received by the Town Clerk or her designee on April 12, 2006 at 10:00 o'clock A.M. Local Time, for the purchase and installation of security cameras in the Lancaster Central High School in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee on March 23, 2006 and in The Challenger, 1337 Jefferson Avenue, Buffalo, New York on March 29, 2006, and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                         |           |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA  | VOTED YES |
| COUNCIL MEMBER MONTOUR  | VOTED YES |
| COUNCIL MEMBER RUFFINO  | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA         | VOTED YES |

March 20, 2006

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN**, that pursuant to a resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened, and read aloud by the Town Clerk or her designated representative of the Town of Lancaster on the 12<sup>th</sup> day of April, 2006 at 10:00 o'clock A.M. Local Time, in the Town Hall, 21 Central Avenue, Lancaster, New York, for the purchase and installation of security cameras for the Lancaster Central High School.

“This contract will be funded wholly or partially with federal funds, and as such, is subject to all federal rules and regulations pertinent thereto, including, but not limited to, federal policy of encouraging the participation of minority and women business enterprises as sources of suppliers, equipment, construction and services.”

All proposals will be received in accordance with the specifications prepared by the Town of Lancaster. A copy of such plans and specifications is on file with the Town Clerk, at her Office in the Town Hall, Town of Lancaster, 21 Central Avenue, Lancaster, New York, where the same may be examined during regular business hours.

Copies of specifications required for review or bidding purposes may be obtained at the office of the Town Clerk located at 21 Central Avenue, Lancaster, New York.

Each proposal must be accompanied by a Certified Check, payable to Supervisor, Town of Lancaster, or bid bond having as surety thereon a surety company acceptable to the Town Attorney, in the amount not less than five percent (5%) of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter into a contract for this project, and that he will execute any such further security as may be required for the faithful performance of the contract.

All bids shall be submitted to the Town Clerk's Office in sealed envelopes addressed to the Town of Lancaster and shall be plainly marked on the outside with the Contractor's name and the title of his bid.

The Town of Lancaster reserves the right to waive any informalities in and to reject any or all bids submitted.

A Non-Collusive Bidding Certificate must accompany all bids.

No bidder may withdraw his bid within thirty (30) days after date of opening, but may withdraw same at any time prior to the scheduled time for the opening of bids.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN  
Town Clerk

March 20, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Director of Administration and Finance, to wit:

Claim No. 1374 to Claim No. 1478 Inclusive

Total amount hereby authorized to be paid: \$162,393.19

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

|                          |           |
|--------------------------|-----------|
| COUNCIL MEMBER AMATURA   | VOTED YES |
| COUNCIL MEMBER MONTOUR   | VOTED YES |
| COUNCIL MEMBER RUFFINO   | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA          | VOTED YES |

March 20, 2006

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby  
reaffirmed:

**CODES:**  
**(SW)** = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are  
waived for this permit.  
  
**(CSW)** = Conditional sidewalk waiver.  
**(V/L)** = Village of Lancaster

**NEW PERMITS:**

|       |                     |                   |                |
|-------|---------------------|-------------------|----------------|
| 13493 | Zack, Daniel        | 114 Peppermint Rd | Er. Garage     |
| 13496 | Staszczyk, Lawrence | 35 Greenbriar Dr  | Er. Res. Alt.  |
| 13497 | City Fence Inc      | 5726 Broadway     | Er. Fence      |
| 13498 | Premier Fence Co    | 10 Creekwood Dr   | Er. Fence      |
| 13499 | Wilcox Bros Sign Co | 6699 Transit Rd   | Er. Sign-Wall  |
| 13500 | Marrano/Marc Equity | 41 Ashwood Ct     | Er. Dwlg.-Sin. |

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for  
sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance  
requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for  
conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town  
Ordinance required for sidewalks, however, the waiver is granted upon the expressed  
condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk  
installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote  
on roll call which resulted as follows

|                          |           |
|--------------------------|-----------|
| COUNCIL MEMBER AMATURA   | VOTED YES |
| COUNCIL MEMBER MONTOUR   | VOTED YES |
| COUNCIL MEMBER RUFFINO   | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA          | VOTED YES |

March 20, 2006  
File: Rbldg2

## COMMUNICATIONS & REPORTS:

165. NYS DEC to Town Board -  
Notice of informational workshops to be held regarding availability of various state & federal grant programs. DISPOSITION = Received & Filed
166. NYS DEC to Town Board -  
Notice of workshop to be held Wednesday, March 29, 2006 at 1:00 PM in Lancaster Municipal Building regarding available grants. DISPOSITION = Received & Filed
167. NYS DEC to Town Attorney -  
Notice of environmental concerns regarding proposed Broadway Condominium Units. DISPOSITION = Planning Committee
168. Town Attorney to Town Board, Planning Board -  
Notice of SEQR meeting to be held Monday, March 20, 2006, 6:30 PM regarding Dunkin Donuts and Greenfield Manor Inc. Addition. DISPOSITION = Received & Filed
169. Town Clerk to Various News Media -  
Notice of SEQR meeting to be held Monday, March 20, 2006, 6:30 PM regarding Dunkin Donuts and Greenfield Manor Inc. Addition. DISPOSITION = Received & Filed
170. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -  
Notice of Revised Landscape Plan recommendation regarding proposed Dunkin Donuts, S/E corner of Transit Road & Flix Drive. DISPOSITION = Planning Committee
171. William Fichtner & Geraldine Fichtner to Town Board -  
Comments and concerns regarding traffic on Harris Hill Road. DISPOSITION = Received & Filed
172. Village of Lancaster to Town Board -  
Minutes of meeting held February 13, 2006. DISPOSITION = Received & Filed
173. Village of Lancaster to Town Board -  
Minutes of meeting held February 27, 2006. DISPOSITION = Received & Filed
174. C. Paner to Town Board -  
Comments and concerns regarding proposed Pilot Truck Stop, Transit Road. DISPOSITION = Received & Filed
175. Duplicate
176. NYS DEC to Supervisor -  
Letter of congratulations as being recognized as a Tree City USA Community for 2006. DISPOSITION = Received & Filed
177. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Deputy Town Attorney, Highway Superintendent, Building Inspector -  
Draft copy of minutes of meeting held March 15, 2006. DISPOSITION = Received & Filed
178. Planning Board to Town Board -  
Recommendation of site plan approval of Greenfield Manor Inc addition, 5953 Broadway; condition noted. DISPOSITION = Resolution 3/20/06

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER STEMPNIAK, SECONDED BY  
COUNCIL MEMBER MONTOUR AND CARRIED,** the meeting was adjourned at 9:44 P.M.

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk